

1 [Increasing prize limit for charitable bingo games.]

2
3 **Ordinance amending Section 3201 of the San Francisco Police Code to increase the**
4 **maximum allowable prize for any charitable bingo game from \$250 to \$500, and to**
5 **make nonsubstantive changes clarifying the applicability of requirements regarding the**
6 **use of bingo proceeds.**

7 NOTE: Additions are single-underline italics Times New Roman;
8 deletions are ~~strike-through italics Times New Roman~~.
9 Board amendment additions are double-underlined;
10 Board amendment deletions are ~~strikethrough-normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The San Francisco Police Code is hereby amended by amending Section
13 3201 to read as follows:

14
15 **SEC. 3201. RESTRICTIONS UPON THE CONDUCTING OF BINGO GAMES.**

16 The conducting of bingo games authorized by this Article shall be subject to the
17 following restrictions.

18 (a) Such games shall only be conducted by a nonprofit charitable organization
19 licensed under the provisions of this Article.

20 (b) Such games shall only be conducted for the benefit of a nonprofit charitable
21 organization.

22 (c) A nonprofit charitable organization shall conduct a bingo game only on property
23 owned or leased by it, and which property is used by such organization for an office or for
24 performance of the purposes for which the organization is organized. Nothing in this
25

1 Subparagraph (c) shall be construed to require that the property owned or leased by such
2 organization be used or leased exclusively by such organization.

3 (d) Each prepackaged set of instant bingo cards must be sold or distributed and the
4 prizes awarded from said set must be distributed within a period of not more than two hours at
5 a location specified in Section 3201(c).

6 (e) A bingo game shall be operated and staffed only by members of the nonprofit
7 charitable organization which organized it. Such members shall not receive a profit, wage or
8 salary from any bingo game.

9 (f) No individual corporation, partnership, or other legal entity except the organization
10 authorized to conduct a bingo game shall hold financial interest in the conduct of such bingo
11 game.

12 (g) Nonprofit charitable organizations licensed to conduct bingo games shall comply with the
13 following requirements:

14 (1) Each nonprofit charitable organization which is exempt from payment of the bank
15 and corporation tax by Section 23701d of the Revenue and Taxation Code shall establish a
16 trust account in which all profits derived from bingo games shall be deposited. Such profits
17 shall not be commingled with any other fund or account. The trust account shall be
18 established at an office of a bank located in the City and County of San Francisco and the
19 account number and branch identification of the trust account shall be filed with the Chief of
20 Police of the City and County of San Francisco within 10 days of the establishment thereof.
21 Such profits shall be used only for charitable purposes.

22 (2) Each nonprofit charitable organization as defined in Section 3200(c) herein which
23 is not exempt from payment of the bank and corporation tax by Section 23701d of the
24 Revenue and Taxation Code shall establish a trust account in which all funds derived from
25 bingo games shall be deposited. Such funds shall not be commingled with any other fund or

1 account. The trust account shall be established at an office of a bank located in the City and
2 County of San Francisco and the account number and branch identification of the trust
3 account shall be filed with the Chief of Police of the City and County of San Francisco within
4 10 days of the establishment thereof. Such funds shall be used only for charitable purposes,
5 except as follows:

6 ~~(A)~~(A) Such funds may be used for prizes;

7 ~~(B)~~(B) A portion of such funds, not to exceed 10 percent of the funds after the
8 deduction for prizes, or \$500 per month, whichever is less, may be used for rental of property,
9 overhead and administrative expenses.

10 (h) The total value of prizes awarded during the conduct of any bingo game shall not
11 exceed ~~\$250~~ \$500 in cash or kind, or both, for each separate game which is held. Monetary
12 prizes for instant bingo games will be not less than 35 percent of all of the fees paid for the
13 purchase of said cards in any given instant bingo game.

14 (i) All bingo games shall be open to the public, not just to the members of the nonprofit
15 charitable organization.

16 (j) No minors shall be allowed to participate in any bingo game.

17 (k) No person shall be allowed to participate in a bingo game unless the person is
18 physically present at the time and place in which the bingo game is being conducted.


19 (l) Any nonprofit charitable organization granted a permit pursuant to this Article which
20 places, publishes or distributes or causes to be placed, published or distributed any
21 advertising matter or announcement of bingo games must include the number of the permit
22 issued to such organization in such advertising matter or announcement.

23 (m) No organization which holds a permit pursuant to this Article shall conduct bingo
24 games as defined in Section 3200(c)(1) for more than six hours on any day. Except as
25 provided by a special permit issued pursuant to Section 3209, no organization which holds a

1 permit pursuant to this Article shall conduct bingo games as defined in Section 3200(c)(2) on
2 more than one day in any calendar week.

3
4 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

5
6 By:


MOLLY S. STUMP
Deputy City Attorney

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 090419

Date Passed:

Ordinance amending Section 3201 of the San Francisco Police Code to increase the maximum allowable prize for any charitable bingo game from \$250 to \$500, and to make nonsubstantive changes clarifying the applicability of requirements regarding the use of bingo proceeds.

July 21, 2009 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Noes: 1 - Daly

July 28, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

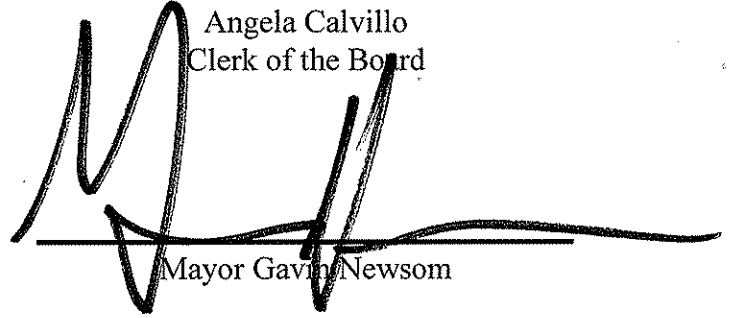
Noes: 1 - Daly

File No. 090419

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on July 28, 2009 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom

8/6/09

Date Approved